

AMENDING THE RECLAMATION WASTEWATER AND GROUNDWATER  
STUDY AND FACILITIES ACT TO AUTHORIZE THE SECRETARY OF THE  
INTERIOR TO PARTICIPATE IN THE CITY OF HERMISTON, OREGON,  
WATER RECYCLING AND REUSE PROJECT, AND FOR OTHER PURPOSES

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SEPTEMBER 21, 2009.—Committed to the Committee of the Whole House on the  
State of the Union and ordered to be printed

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Mr. RAHALL, from the Committee on Natural Resources,  
submitted the following

R E P O R T

[To accompany H.R. 2741]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 2741) to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the City of Hermiston, Oregon, water recycling and reuse project, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 2741 is to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the City of Hermiston, Oregon, water recycling and reuse project, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 2741 would authorize limited federal financial assistance to the City of Hermiston's Recycled Water Plant (RWP) Improvement Project. When completed, upgrades to the RWP would produce a total of 3,400 acre-feet of water to be used to meet irrigation needs, as well as for environmental purposes.

Currently, water discharge at the RWP is determined by season. From May through October, 1,700 acre-feet of discharge is treated

pursuant to the State of Oregon's Class C water quality standard and spread over pastureland. Class C water can only be used for pastureland irrigation. During the November–April period, the 1,700 acre-feet of water is also treated to a Class C level and discharged to the Umatilla River.

The City of Hermiston is currently in compliance with all discharge requirements. A new National Pollutant Discharge Elimination System (NPDES) permit will be put into effect by December 2010. The current facility will not allow the city to meet the new required NPDES temperature limits. The City of Hermiston desires to use the Title XVI program to upgrade their facilities to meet the new pollution requirements and allow for more water recycling.

H.R. 2741 would authorize the Secretary of the Interior to assist in upgrades to the RWP facility to produce Class A water standards. Class A water can be used for all irrigation purposes, not merely limited to pasture land irrigation. The water created would be supplied to the West End Irrigation District for irrigation purposes. Implementing this Title XVI project would allow additional water to stay within the Umatilla River to the benefit of the salmon fisheries and the environment. As a result of the proposed upgrade, during the winter months, higher quality water would be discharged into the Umatilla River. The federal government would be responsible for 25 percent of the total cost of the project, but is not responsible for the operation and maintenance of the facility.

#### COMMITTEE ACTION

H.R. 2741 was introduced on June 4, 2009 by Rep. Greg Walden (R–OR). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on Water and Power. On July 21, 2009, the Subcommittee held a hearing on the bill.

On September 10, 2009, the Subcommittee was discharged from further consideration of H.R. 2741 and the full Natural Resources Committee met to consider the bill. The bill was ordered favorably reported to the House of Representatives by unanimous consent.

#### COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources' oversight findings and recommendations are reflected in the body of this report.

#### CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

#### COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(3)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill pre-

pared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

2. Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. General Performance Goals and Objectives. As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the City of Hermiston, Oregon, water recycling and reuse project.

4. Congressional Budget Office Cost Estimate. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

*H.R. 2741—A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the city of Hermiston, Oregon, water recycling and reuse project*

Summary: H.R. 2741 would authorize the Bureau of Reclamation to participate in developing a project to reclaim and reuse groundwater in Hermiston, Oregon. Assuming appropriation of the necessary amounts, CBO estimates that implementing H.R. 2741 would cost \$6 million over the 2010–2014 period. Enacting the legislation would not affect direct spending or revenues.

H.R. 2741 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

Estimated cost to the federal government: The estimated budgetary impact of H.R. 2741 is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources and environment).

	By fiscal year, in millions of dollars—					
	2010	2011	2012	2013	2014	2010–2014
CHANGES IN SPENDING SUBJECT TO APPROPRIATION						
Estimated Authorization Level .....	6	0	0	0	0	6
Estimated Outlays .....	3	2	1	0	0	6

Basis of estimate: For this estimate, CBO assumes that H.R. 2741 will be enacted near the beginning of fiscal year 2010 and that the federal share of the project's costs will be appropriated that year. Estimated outlays are based on historical spending patterns for similar water recycling projects.

H.R. 2741 would authorize the Bureau of Reclamation to design, plan, and construct water recycling facilities in Hermiston, Oregon. The federal share of the project's costs would be limited to the lesser of 25 percent of the total project costs or \$20 million.

Based on information from the bureau, CBO estimates that the total cost of the project would be about \$22 million. Under the bill, the federal share of the project's costs would be about \$6 million;

the remaining \$16 million would be the responsibility of local governments as would ongoing operation and maintenance of the facility.

Intergovernmental and private-sector impact: H.R. 2741 contains no intergovernmental or private-sector mandates as defined in UMRA and would impose no costs on state, local, or tribal governments. The bill would benefit Hermiston, Oregon, by authorizing federal assistance for planning, designing, and constructing water facilities.

Estimate prepared by: Federal Costs: Aurora Swanson; Impact on State, Local, and Tribal Governments: Melissa Merrell; Impact on the Private Sector: Amy Petz.

Estimate approved by: Theresa Gullo, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

EARMARK STATEMENT

H.R. 2741 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e) or 9(f) of rule XXI.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in italic and existing law in which no change is proposed is shown in roman):

**RECLAMATION PROJECTS AUTHORIZATION AND  
ADJUSTMENT ACT OF 1992**

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**SEC. 2. DEFINITION AND TABLE OF CONTENTS.**

For purposes of this Act, the term "Secretary" means the Secretary of the Interior.

TABLE OF CONTENTS

Sec. 1. Short title.

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TITLE XVI—RECLAMATION WASTEWATER AND GROUNDWATER STUDIES

Sec. 1601. Short title.

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Sec. 16 \_\_\_\_ . *City of Hermiston, Oregon, water recycling and reuse project.*

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**TITLE XVI—RECLAMATION WASTEWATER AND  
GROUNDWATER STUDIES**

**SEC. 1601. SHORT TITLE.**

This title may be referred to as the “Reclamation Wastewater and Groundwater Study and Facilities Act”.

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**SEC. 16 \_\_ . CITY OF HERMISTON, OREGON, WATER RECYCLING AND  
REUSE PROJECT.**

*(a) AUTHORIZATION.—The Secretary, in cooperation with the City of Hermiston, Oregon, is authorized to participate in the design, planning, and construction of permanent facilities to reclaim and reuse water in the City of Hermiston, Oregon.*

*(b) COST SHARE.—The Federal share of the costs of the project described in subsection (a) shall not exceed 25 percent of the total cost.*

*(c) LIMITATION.—The Secretary shall not provide funds for the operation and maintenance of the project described in subsection (a).*

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